

1  
2  
3  
4  
5 UNITED STATES DISTRICT COURT  
6 WESTERN DISTRICT OF WASHINGTON  
7 AT TACOMA

8 AUDRA K. STAFFORD,

9 Plaintiff,

v.

10 KEY MECHANICAL CO. OF  
11 WASHINGTON,

12 Defendant.

CASE NO. C21-5063 BHS-MLP

ORDER ADOPTING REPORT  
AND RECOMMENDATION

13 This matter comes before the Court on the Report and Recommendation (“R&R”)  
14 of the Honorable Michelle L. Peterson, United States Magistrate Judge. Dkt. 20. The  
15 Court having considered the R&R and the remaining record, and no objections having  
16 been filed, does hereby find and order as follows:

- 17 (1) The R&R is **ADOPTED**;
- 18 (2) Plaintiff’s motion for remand, Dkt. 13, is **GRANTED in part** as to  
19 Plaintiff’s wage-based claims for travel time and overtime and **DENIED in**  
20 **part** as to Plaintiff’s rest and meal break claims;
- 21  
22

- 1 (3) Plaintiff's rest and meal break claims, as identified in her second and third  
2 cause of actions, are **DISMISSED with prejudice**;  
3 (4) Plaintiff's request for attorney's fees is **DENIED**; and  
4 (5) The Clerk shall remand this action to Pierce County Superior Court for  
5 adjudication of Plaintiff's remaining wage-based claims and close this case.

6 Dated this 1st day of June, 2021.

7  
8 

9 BENJAMIN H. SETTLE  
United States District Judge  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22